

Compliance Assessment Report

Report ID:
CAR_NRW0033751

This form will report compliance with your permit as determined by an NRW officer

Site	Clyne Civic Amenity Site	Permit Ref	HB3397TK			
Operator/Permit holder	City and County of Swansea					
Regime	Waste Operations					
Date of assessment	30/07/2018	Time in	10:45	Out	13:30	
Assessment type	Audit					
Parts of the permit assessed	1.1.1, 2.1.3					
Lead officer's name	Thomas, Ffion					
Accompanied by						
Recipient's name/position	Chris Fender/ Site Manager	Date issued	06/08/2018			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	C3	1.1.1
C2 - General Management - Management system and operating procedures	C3	2.1.3 table S1.2

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	8
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

This Compliance Assessment report form has been completed following the site inspection at Clyne HWRC undertaken on 30th July 2018.

This inspection was undertaken following receipt of a noise report from local residents, and also as means to meet with the newly appointed waste department manager Keith Coxon.

Present:

Ffion Thomas

Chris Fender

Keith Coxon

Agenda:

- Review of site management in line with EMS and noise management plan appendix 5 following noise reports
- Inspection of site and waste storage
- AOB: Improvement programme items.

Findings:

Review of site management in line with EMS and noise management plan appendix 5 following noise reports

Swansea city council undertook an inspection of their procedures following their receipt of a noise complaint. NRW had been copied into this email correspondence and subsequently logged the report onto the WIRS system and communicated with the operator.

The operators internal review findings reported that there had been some erosion of noise prevention procedures.

Reversing alarms on some vehicles were being operated on site. This is in breach of the noise management procedure. The operators identified the disconnection of a reversing alarm requires multiple inputs from drivers. On some vehicles it was reported that the reversing alarm has to be deactivated on every movement of the vehicle. This can lead, on occasions, to drivers forgetting to deactivate the alarm or the alarm coming back on during a mauve.

On discussions with the manufacturers Swansea city council have now decided to make modifications to these vehicles, installing a single switch to deactivate the alarms.

All deliveries and skip removals is undertaken with banksman supervision. Drivers will have to remember to re-activate the alarm on leaving the site.

During the site inspection a skip was delivered but no breaches at that time of operations was noted. NRW

advised that the operators ensure all H&S aspects of this chosen noise management is reviewed by them with input from other professional organisations were required. It was also advised to start reviewing noise monitoring data in order to determine if this deactivation was reducing noise or if the use of alternative reversing alarms would be advised e.g. white noise instead of beep alarms. These aspects of noise management are on-going improvements and will need periodic review by the operator to ensure they are still fit for purpose.

The internal review undertaken by Swansea city council also identified that some of the waste acceptance modifications to skips, where public are encouraged to dispose of waste into certain sections of a skip via barriers or openings being open/closed was not being implemented on every occasion. This is a breach of the EMS and appendix 5.

The wood and metal skip are operated on a walk-in fill, followed by a top fill for the wood once a base of wood has been formed. This system was presented by Swansea as their noise assessment work identified that wood being dropped from height into an empty skip caused noise emissions. Once a base of wood is laid onto the bottom of a skip the impact noise of wood being dropped from above is lowered. To assist in forming a base layer, barriers are to be used to direct the public to fill certain sections of the skip, as detailed in the EMS appendix 5.

During the site inspection it was noted that these barriers are currently not used. A maintenance issue was highlighted, meaning the barriers cannot be put into place.

The cause of the above breaches appears to be staff training in relation to the reversing alarms and maintenance regarding the barrier fill system. The root cause of both these elements is non-compliance with the EMS.

Reversing alarms breach and barrier system loading are breaches of operating techniques 2.3.1 table S1.2 appendix 5.

The root cause of the above is a breach of the 1.1.1 condition as you are not complying with the EMS that incorporates appendix 5.

Improvements to the above were witnessed whilst on site but given the possible impacts of the breaches two scores of Cat 3 have been allocated under the separate permit conditions.

ACTION implement site and management improvements to comply with management plans.

Clyde are required to undertake noise monitoring. Monitoring equipment was in place at the time of this inspection.

NRW are awaiting the interpretation of the Q1 noise monitoring submission.

ACTION Please can you ensure that an interpretation of noise monitoring data is provided on submission of the raw data.

Software to be able to undertake this work has been requested, but to date the software has not been signed off internally.

ACTION on-going review of monitoring data by the operator to be able to verify and/or continually improve the noise management at the site.

Inspection of site and waste storage

An inspection of the site's storage arrangements was made. It was noted that nappy collection was now being undertaken. This waste code has been added to the consolidated permit. The collection is done within small household style wheelie bins, stored on site temporarily before onward collection. No odours

were observed on site during the inspection. The waste is stored at the black bag opening area.

ACTION: Please confirm the infrastructure arrangements for this area ensuring that the bins are stored within the impermeable pavements and sealed drainage system.

Improvement programme: Following the issuing of a consolidated permit Improvement programme items have been included requiring a fire management and mitigation plan, odour management plan and updated EMS submissions are required by end October.

END.

EPR Compliance Assessment Report

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Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
A1	C3	implement site and management improvements to comply with management plans.	31/08/2018
C2	C3	Improvements to the above were witnessed whilst on site but given the possible impacts of the breaches two scores of Cat 3 have been allocated under the separate permit conditions. ACTION implement site and management improvements to comply with management plans.	31/08/2018

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. Health and Safety Executive, local authorities) on environmental issues
- Carrying out statistical analysis, research and development on environmental issues
- Providing public register information to enquirers
- Investigating possible breaches of environmental law
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.